

BOARD OF APPEAL REFERRALS

January 24, 1980

1. Z-4607 William J. Barry
24 Norwood Street, Dorchester
2. Z-4608 Daniel H. Funkenstein
120 Perkins Street, Jamaica Plain
3. Z-4609 Anna Bobitt Gardner
549 Columbus Avenue, Boston
4. Z-4610-4611 Mary Jo Ahern
58 and 36 Monument Avenue, Charlestown
5. Z-4612 Mary Jo Ahern
9 Harvard Street, Charlestown
6. Z-4625 Charles J. Famolare III
362 West Fourth Street and
299-301-303 E Street, South Boston
7. Z-4628 The Salvation Army of Massachusetts Incorporated
332 Jamaicaaway, Jamaica Plain
8. Z-4635 John Moore
80 Park Street, Dorchester
9. Z-4639 St. Marks Episcopal Church
ABCD Inc. (lessee)
73½ Columbia Road, Dorchester
10. Z-4640 Anthony F. Rauseo
2 Shawsheen Road, East Boston
11. Z-4651 Lavender Trust
540 Commercial Street, Boston
12. Z-4652 Two Arlington Street Realty Trust
2 Arlington Street, Boston
13. Z-4663 Rose Ricciardi
911 Adams Street, Dorchester

MEMORANDUM

January 24, 1980

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 2/5/80 Z-4607
William J. Barry
24 Norwood Street, Dorchester
Near Tolman Street

2½ story structure - M-1

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-1</u>

Purpose: Legalize occupancy - one family dwelling; erect one story addition.

Violation(s):

SectionRequiredProposed

9-1 Extension of a non conforming use requires Board of Appeal hearing.

Addition will be used as bedroom for invalid mother who cannot climb stairs. No adverse effect or objections. Recommend Approval.

VOTED: In Reference to Petition Z-4607, brought by William J. Barry, 24 Norwood Street, Dorchester, for extension of a non conforming use to erect a one-story addition to a one family dwelling in a manufacturing (M-1) District, the Boston Redevelopment Authority recommends approval. Addition for invalid member of family will have no adverse effect on surrounding properties.



Z-4607
24 NORWOOD ST.
(DOR.)

Board of Appeal Referrals January 24, 1980

Hearing: 2/5/80

Z-4608
Daniel H. Funkenstein
120 Perkins Street
Jamaica Plain
Near Pondview Avenue

1½ story frame structure - R-.5

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect carport addition to one family dwelling.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
18-1. Front yard is insufficient	20 ft.	10 ft.
19-1. Side yard is insufficient	10 ft.	6 ft.

Violations are technical and minimal. Carport will abut windowless side of Salvation Army Building. No neighborhood objections.
Recommend Approval.

VOTED: In Reference to Petition Z-4608, brought by Daniel H. Funkenstein, 120 Perkins St., Jamaica Plain, for two variances to erect a carport addition to a one family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Carport will not affect adjacent properties. Violations are technical and minimal.



Z-4608

120 PERKINS ST

(J.P.)

WARD'S POND

LIMITED

PARK

POND

PERSHING

VIEW

ASHCROFT

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

Board of Appeal Referrals January 24, 1980

Hearing: 2/5/80

Z-4609
Anna Bobitt Gardner
549 Columbus Avenue, Boston
Near Claremont Park

Four story structure - L-2

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local businessL-2_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from six apartments and restaurant to six apartments and music studio.

Violation(s):

Section

Required

Proposed

8-7. A trade, professional or other school is conditional in an L-2 District.

Music store has been located at this site since 1971 and around corner on Claremont Park for over 25 years. Community and Little City Hall have no objections. Recommend Approval with Proviso.

VOTED: In Reference to Petition Z-4609, brought by Anna Bobitt Gardner, 549 Columbus Avenue, Boston, for a conditional use for change of occupancy from six apartments and restaurant to six apartments and music studio in a Local Business (L-2) District, the Boston Redevelopment Authority recommends approval provided sign plan is submitted to the Authority for Design Review.



Z-4609
549 COLUMBUS AVE.
(B.P.)

PARKING
AREA

Board of Appeal Referrals January 24, 1980

Hearing: 2/12/80

Petitions Z-4610-4612
Mary Jo Ahern
36 & 58 Monument Avenue;
9 Harvard Street, Charlestown

Three masonry row structures - H-1

District(s): apartment H-1 _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy of three dwellings: Two families to three families, two families to four families, one family to three families.

Violation(s):

Section	Required	Proposed
8-7. Any dwelling converted for more families which does not meet the requirements for lot area, open space and off street parking is forbidden in an H-1 District	3,500 sf.	1,817 sf.
	7,000 sf.	2,146 sf.
14-2 Lot area is insufficient	5,000 sf.	1,798 sf.
		363 sf.
17-1. Open space is insufficient	400 sf.	238 sf.
		261 sf.
	2 spaces	0
23-1 Off street parking is insufficient	2	

Occupancy of Harvard Street dwelling is existing and consistent with surrounding properties. Petitioner is owner-occupant. Abutters and residents have expressed support. Monument Avenue is predominantly low density one & two family; it is narrow, one way and, congested with on street parking. Abutters and residents are overwhelmingly opposed. Recommend Approval of Harvard Street and Denial of Monument Avenue.

VOTED: In Reference to Petitions Z-4610-4612, brought by Mary Jo Ahern, 36 & 58 Monument Avenue and 9 Harvard Street, Charlestown, for three forbidden uses and nine variances for change of occupancy of three dwellings from two to three families, two to four families, and one to three families in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval of Harvard Street and denial of Monument Avenue. Occupancy of Harvard Street dwelling is existing and consistent with surrounding properties. Abutters and residents have expressed support. Monument Avenue is predominantly low density one and two family; it is narrow, one way and congested with on street parking. Abutters and residents are overwhelmingly opposed.



Z-4610-12

36 258 MONUMENT AVE.

9 HARVARD ST.

(CHSN.)

Tabled January 10, 1980

Resubmitted 1/24/80

Board of Appeal Referrals

January 24, 1980

Hearing: 1/29/80

Z-4625

Charles J. Famolare, III

362 West Fourth Street &

299-301-303 E. St., South Boston

3½ story frame structure - H-1-50

District(s): apartment H-1-50 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from three family dwelling and four stores to three family dwelling, offices, catering business and restaurant.

Violation(s):

Section

Required

Proposed

9-2. A change in a non conforming use requires Board of Appeal Hearing.

Proposal includes exterior - interior building renovation and replacement of four vacant stores with offices, catering kitchen and "Take Out Deli." Food would be prepared on premises for consumption elsewhere. Deli will have no seating facilities. Petitioner has negotiated with South Boston Action Center to provide meals for South Boston Elderly Citizens at a reasonable cost. South Boston Residents Group, Citizens Association and Little City Hall have expressed support provided "Take Out Deli" is eliminated. Recommend Approval with Proviso.

VOTED: In Reference to Petition Z-4625, brought by Charles J. Famolare, III, 362 West Fourth Street & 299-301-303 E St., South Boston, for a change in a non conforming use for change of occupancy from three family dwelling and four stores to three family dwelling, offices, catering business and restaurant in an Apartment (H-1-50) District, the Boston Redevelopment Authority recommends approval without the "Take Out Deli" and with the following proviso: That kitchen ventilation system be directed away from adjacent residential structures.



Z-4625

362 WEST FOURTH ST.

299-301-303 B STREET

(S.B.)

Board of Appeal Referrals January 24, 1980

Hearing: 1/22/80

Z-4628

Salvation Army of Mass. Inc.
332 Jamaicaway, Jamaica Plain
at Perkins Street

Two story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.3 manufacturing _____

Purpose: Change occupancy from Booth Memorial home to parenting center, in residence counseling for 25 mothers and infants; nonresident day care and counseling service.

Violation(s):

Section

Required

Proposed

9-2 Change in a nonconforming use requires Board of Appeal Hearing.

Proposal is similar to former maternity home use (see attachment). Staff conducted neighborhood meetings at Agassiz School January 3. Immediate abutters expressed support with provisos indicated in vote. Jamaica Pond Association is opposed; however, abutters stated that the association does not represent them or their interests. Recommend Approval with Provisos.

VOTED: In Reference to Petition Z-4628, brought by The Salvation Army of Massachusetts Incorporated, 332 Jamaicaway, Jamaica Plain, for change in a nonconforming use for change of occupancy from Booth Memorial home to parenting center for 25 resident mothers and infants and nonresident day care and counseling service in a single family (S-.3) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the program and operation be approved for eighteen months only so that its compatibility with neighborhood be reviewed by Board of Appeals at formal hearing. That the Salvation Army establish an Advisory Council consisting of a least three neighborhood representatives to develop program details, operations, etc; that no truck deliveries be allowed before 8 am or after 6 pm; that visiting hours be limited to 10 pm Sunday through Thursday and midnight Friday and Saturday; that Salvation Army work with City Traffic & Parking Department to determine parking and access routes for servicing clients without inconveniencing or creating potential hazards for nearby residents on densely settled streets; that plans for exterior changes to building or grounds be submitted to Authority for design review. Limit women with children in residence to 20, so that 5 spaces will remain, under the license, for neighborhood day care use.

THE SALVATION ARMY

Proposed Parenting Program

at

BOOTH MEMORIAL HOME

332 Jamaicaway, Jamaica Plain, Boston

The Booth Memorial Parenting Center will provide residential facilities for approximately 25 mothers and their infants. The mothers will be predominantly teenage girls who need counseling and care in facing their new lives as mothers. The goal is to prepare the girls to be not only good parents but productive members of the community. This will require day care facilities for the babies while the mothers are at school or other educational situations. As the program develops there will be counseling and assistance provided for non-resident parents and day care for non-resident children, including neighborhood residents in Jamaica Plain.

The use applied for is therefore:

Residence for 25 single parents and their infants, with provision for up to 5 live-in staff, day care facilities for infants and children, counseling, and training facilities for residents and non-residents.

[illegible]

Board of Appeal Referrals

January 24, 1980

Hearing: 2/5/80

Z-4635
John Moore
80 Park Street, Dorchester
Near Sturtevant Street

2½ story structure - I-2

District(s):	apartment_____	general business_____	industrial I-2_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Legalize occupancy - dismantling and sales of automobile parts.

Violation(s):

Section

Required

Proposed

8-7. The wrecking and dismantling of motor vehicles is forbidden in an I-2 District.

Expansion of marginal uses such as this would have an adverse impact on existing residential properties. Extremely limited parking facilities could create congestion and traffic problems on Park Street. Little City Hall is opposed; mixed neighborhood reaction. Recommend Denial.

VOTED: In Reference to Petition Z-4635, brought by John Moore, 80 Park Street, Dorchester, for a forbidden use to legalize occupancy for dismantling and sales of automobile parts in an Industrial (I-2) District, the Boston Redevelopment Authority recommends denial. Expansion of marginal uses such as this would have an adverse impact on existing residential properties. Extremely limited parking facilities could create congestion and traffic problems on Park Street.



Z-4635
80 PARK ST.
(DOR.)

Hearing: 2/12/80

Z-4639

St. Marks Episcopal Church
ABCD Inc. (Lessee)
73½ Columbia Road
Dorchester - Near Seaver Street

Two story structure - R-.8

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from one family dwelling, parish house and day care center for 37 children to one family dwelling parish house and day care center for 72 children.

Violation(s):

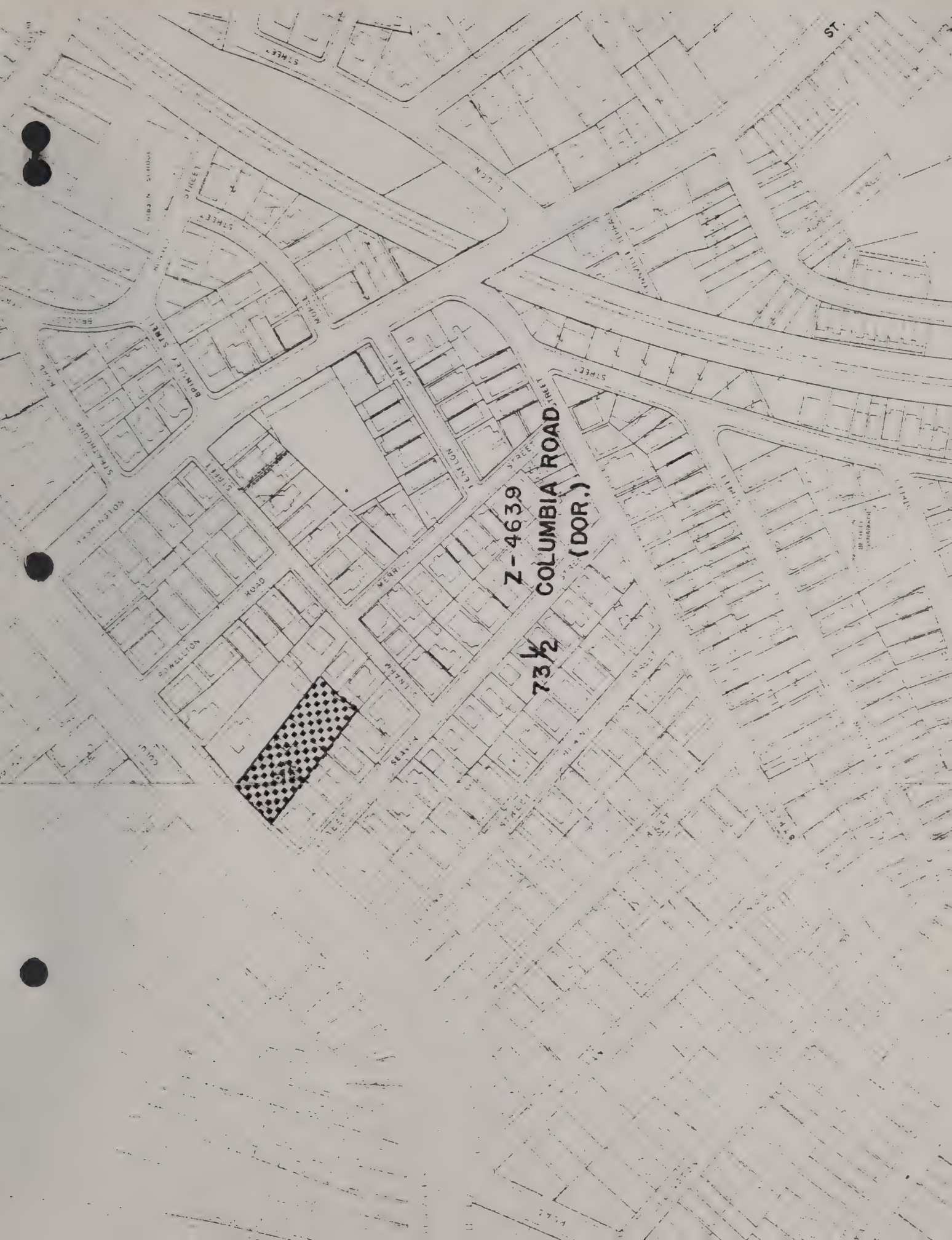
SectionRequiredProposed

8-6. A change in a conditional use requires Board of Appeal hearing.

In 1975, Authority approved day care center at premises for 77 children; However, petitioner subsequently failed to appear at Board of Appeal hearing and petition was dismissed.

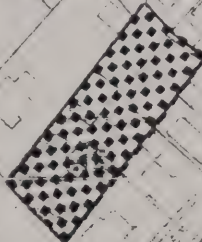
Existing facility, part of ABCD Headstart Program, is operated in the parish house, one of three structures in the church complex. Petitioner proposes to expand facility by use of second floor area. Children are transported to and from facility by ABCD Headstart bus-vans. Abutters and Franklin Field Little City Hall have no objections.
Recommend Approval.

VOTED: In Reference to Petition Z-4639, brought by St. Marks Episcopal Church & ABCD Inc, 73½ Columbia Road, Dorchester, for a change in a conditional use for change of occupancy from one family dwelling, parish house and day care center for 37 children to one family dwelling, parish house and day care center for 72 children in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval. Facility provides a much needed service to the community. Children are transported to and from the day care center by ABCD Headstart bus vans.



Z-4639
COLUMBIA ROAD
(DOR.)

73 1/2



Board of Appeal Referrals January 24, 1980

Hearing: 2/12/80

Z-4640
Anthony F. Rauseo
2 Shawsheen Road, East Boston
At Saratoga Street

Vacant Land - L-1

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect one story repair shop garage.

Violation(s):

Section

Required

Proposed

8-7. Repair shop garage is conditional in an L-1 District

A supermarket, gas station and auto repair facility are adjacent to site. Little City Hall has no objection. Local land use council has not taken an official position at this time. Recommend Approval with Provisos.

VOTED: In Reference to Petition Z-4640, brought by Anthony F. Rauseo, 2 Shawsheen Rd., East Boston, for a conditional use to erect a one story repair shop garage in a Local Business (L-1) District, the Boston Redevelopment Authority recommends approval with the following provisos: that the hours of operation be 8AM to 6PM Monday thru Saturday; that no unregistered cars be allowed on street or premises at any time; that there be no storage of customers cars; that no exterior work or auto body work be allowed at any time; that there be no painting of automobiles; that land, building and equipment be maintained in a clean, orderly condition; that all vehicular access be from Saratoga Street; that plans be submitted to the Authority for Design Review.



Z-4640
2 SHAWSHEEN RD.
(E.B.)

Hearing: 2/12/80

Z-4651

Lavender Trust

540 Commercial Street, Boston

Near Copps Hill Terrace

4166 square feet of land - H-3

District(s):	apartment <u>H-3</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Erect seven story 11 unit apartment and office structure.

Violation(s):

SectionRequiredProposed

8-7. Office is forbidden in an H-3 District.

15-1. Floor area ratio is excessive.

18-4 Front yard is insufficient.

23-7 Off-street parking is insufficient.

Site, 4166 square feet, is small. Proposal would have a serious impact on the area, could obstruct light and air to properties on Charter Street and affect demands for curb parking on both Commercial & Charter Streets. Frontage on Commercial Street is extremely narrow and there is a grade separation between Commercial and Charter Streets. Little City Hall is opposed. Recommend Denial.

VOTED: In Reference to Petition Z-4651, brought by Lavender Trust, 540 Commercial Street, Boston, for a forbidden use and three variances to erect a seven story eleven unit apartment and office structure in an Apartment (H-3) District, the Boston Redevelopment Authority recommends Denial. Site is small. Proposal would have a serious impact on the area, could obstruct light and air to properties on Charter Street and affect demands for curb parking on both Commercial and Charter Streets. Frontage on Commercial Street is extremely narrow and there is a grade separation between Commercial and Charter Streets. Little City Hall is opposed.



Z-4851
540 COMMERCIAL ST.
(B.P.)

NORTH END
PLAYGROUND

CENETERY

PAT JOHN
DELLIPPO
PLAYGROUND

PRINCE

KEANY
SQUARE

NORTH WASHINGTON

Board of Appeal Referrals January 24, 1980

Hearing: 2/12/80

Z-4652

Two Arlington Street Realty Trust
2 Arlington Street, Boston
Near Beacon Street.

Five story structure - H-5-70

District(s): apartment H-5-70 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from six apartments to four apartments and professional office (law office).

Violation(s):

Section

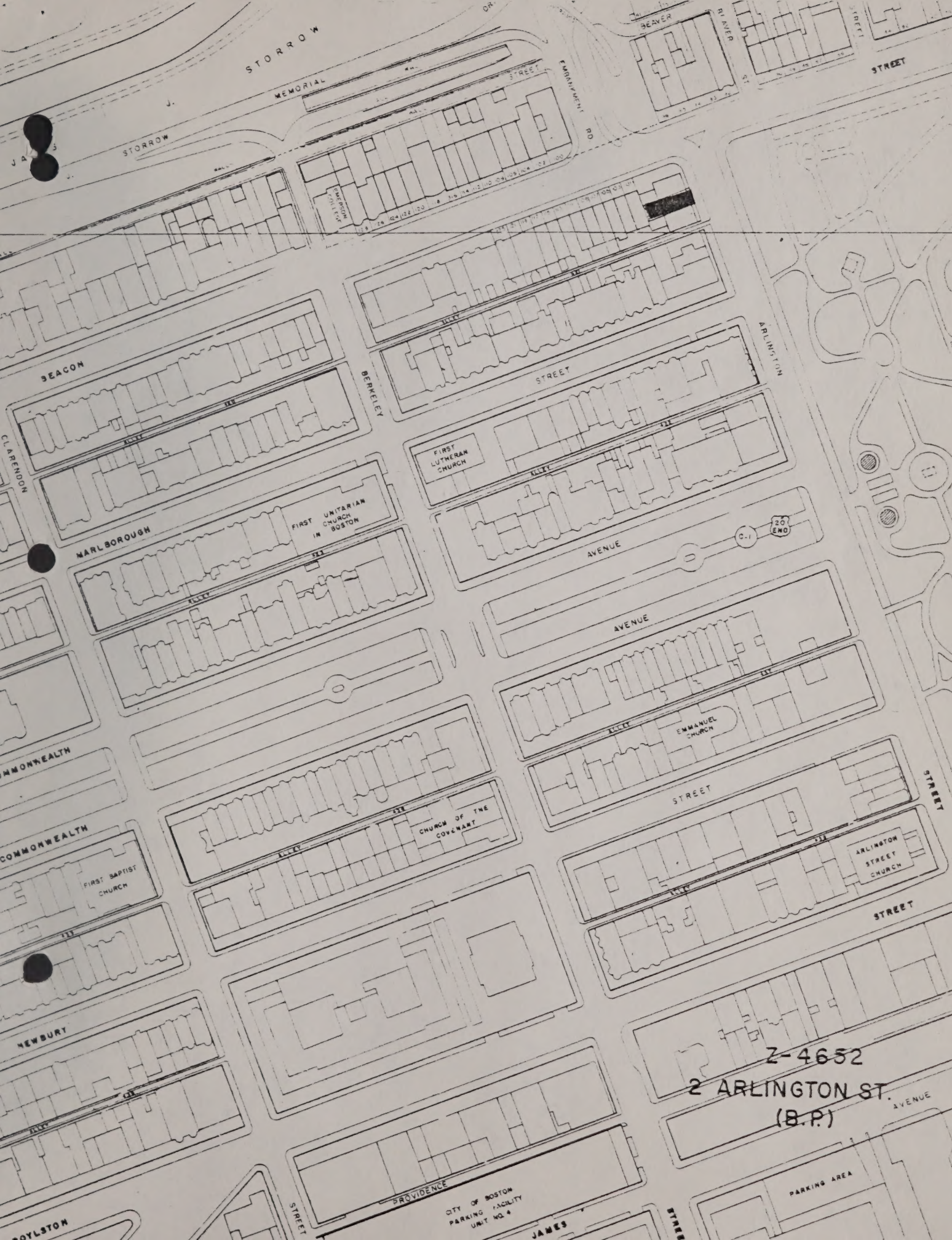
Required

Proposed

8-7. Professional office is forbidden in an H-5-70 District.

The Residential character of the neighborhood must be preserved. Residential units are presently in demand. Non conforming office-commercial uses are undesirable. Neighborhood Association of Back Bay is opposed. Recommend Denial.

VOTED: In Reference to Petition Z-4652, brought by Two Arlington Street Realty Trust, 2 Arlington Street, Boston, for a forbidden use for change of occupancy from six apartments to four apartments and professional office in an apartment (H-5-70) District, the Boston Redevelopment Authority recommends denial. The residential character of the neighborhood must be preserved. Residential units are presently in demand. Non conforming office-commercial uses are undesirable.



Z-4652
2 ARLINGTON ST.
(B.P.)

CITY OF BOSTON
PARKING FACILITY
UNIT NO. 6

PARKING AREA

Board of Appeal Referrals

January 24, 1980

Hearing: 2/12/80

Z-4663

Rose Ricciardi

911 Adams Street, Dorchester

At Milton Street

1½ story structure - R-.5

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from marble works to one apartment, retail garden shop, plant store.

Violation(s):

Section

Required

Proposed

9-2. A change in a non conforming use requires Board of Appeal approval.

Property is in state of decline. Store and garden shop will be an asset to the neighborhood. Apartment will be owner-occupied. Adequate parking will be provided along with structural and landscape improvements. Local Civic Association, abutters, little City Hall and neighborhood business specialist indicate support. Recommend Approval with Proviso.

VOTED: In Reference to Petition Z-4663, brought by Rose Ricciardi, 911 Adams Street, Dorchester, for a change in a non conforming use and change of occupancy from marble works to one apartment, retail garden shop and plant store in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for Design Review.



Z-4663
911 ADAMS ST.
(DOR.)